



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

FMH.4

ENZO DIAGNOSTICS, INC.
C/O ENZO BIOCHEM, INC.
527 MADISON AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022

Paper No. 21

COPY MAILED

APR 15 1998

OFFICE OF PETITIONS
A/C PATENTS

PRO
09/302816



04/16/99

In re Application of
Dean L. Engelhardt et al
Application No. 08/182,621
Filed: January 13, 1994
Attorney Docket No. ENZ-52

APR 20 1998

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed February 3, 1998, to
revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office action
mailed April 9, 1997, which set a period for reply of three months. A Notice of
Abandonment was mailed on November 12, 1997.

Since this application is being revived for purposes of continuity only and since
continuity has been established by this decision reviving the application, the
application is again abandoned in favor of the continuing applications stated to have
been filed concurrently herewith.

The Terminal Disclaimer filed on April 14, 1998 has been accepted. The period
disclaimed is nine (9) months, which is equivalent to the period of abandonment.
The file is being forwarded to Group 1800.

This petition was filed under the revival rules in effect as of December 1, 1997. Note
Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131
(October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997).
Therefore, the statement of unintentional delay does not comply with the provisions
of 37 CFR 1.137(b)(3) in effect as of December 1, 1997. However, the statement
presented will be accepted and construed as meaning that "the entire delay in filing
the required reply from the due date for the reply until the filing of a grantable
petition pursuant 37 CFR 1.137(b) was unintentional." If this is an incorrect
interpretation in view of the new rules, petitioner is required to provide a statement
to that effect.

Telephone inquiries concerning this matter may be directed to the undersigned at
(703) 305-8680.

A handwritten signature in cursive script, reading "Frances Hicks".

Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Assistant Commissioner
for Patent Policy and Projects